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Appl. No. 10/622,256
Amtd. Dated April 1, 2005
Reply to Office Action of March 8, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Paul Dzialakiewicz *et al.*

Application No. : 10/622,256

Filed : 07/18/2003

Title : VALVE ACTUATING APPARATUS

Group/Art Unit : 3751

Examiner : Peter T. Devore

Docket No. : SBC0019

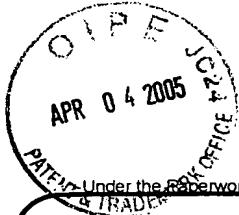
MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION

Sir:

Applicant acknowledges the Office Action of March 8, 2005. The Examiner asserts that the Application included four patentably distinct species, wherein Species 1 is the embodiment of Figures 4 and 5; Species 2 is the embodiment shown in Figures 8 and 9; Species 3 is the embodiment shown in Figures 10 and 11; and Species 4 is the embodiment shown in Figures 12 and 13.

Applicant elects without traverse Species 1 in Figures 4 and 5. Applicant considers that all claims 1-33 are readable on elected Species 1. Attached is a Listing of Claims.



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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/622,256

Filing Date

07/18/2003

First Named Inventor

Paul Dzialakiewicz

Art Unit

3751

Examiner Name

Peter T. Devore

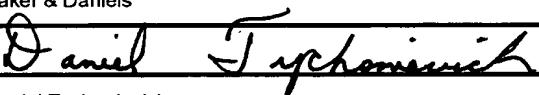
Attorney Docket Number

SBC0019

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return Postcard
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Baker & Daniels		
Signature			
Printed name	Daniel Tychonievich		
Date	04/01/2005	Reg. No.	41,358

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Daniel Tychonievich	Date	04/01/2005

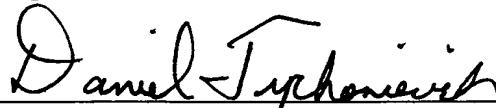
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Should the Examiner have any questions or comments, he is invited to contact Applicant's below signed representative. If necessary to effect a timely response, please consider this paper a request for an extension of time, and charge any shortages in fees, or apply any overpayment credits, to Baker & Daniels' Deposit Account No. 02-0387 (75588.33). However, please do not include the payment of issue fees.

Respectfully submitted,



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April 1, 2005

Date



Daniel Tychonievich, Reg. No. 41,358

Attachment: Listing of Claims